



1900 O'Farrell Street, Suite 220, San Mateo, California 94403-1387

August 21, 2009

Mail Stop: Petition
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Via Fax : 571-273-8300

Subject: Patent No. 6,925,482 B2

Dear Sir or Madam:

This petition to accept unavoidably delayed payment of maintenance fee in an expired patent is to replace the previous petition form SB66 submitted on August 5, 2009.

Per your advice, I have enclosed the followings:

- Petition Form (SB65) (4 pages)
- Credit card for payment form (1 page)

Please note the address change on the petition form.
I am grateful for the phone advice today.
Please let me know if you have any questions.

Sincerely,

Julia Yeh, Controller
Phone: 650-941-0382

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PTO/SB/ES (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

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NOTE: If information or assistance is needed in completing this form, please contact Patitions Information at (571) 272-3282.

Patent Number: 6925482

Application Number: 09/740,718

Issue Date: August 2, 2005

Filing Date: Dec 18, 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable: Not applicable

The above-identified patent:

- ☐ is a reissue of original Patent No. _____ original issue date _____
original application number _____ 08/28/2009 DALLEN 00000034 6925482
original filing date _____ 01 FC:1599 78 00 0P
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application
_____ filed on _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

8/21/2009
Date

Julia Yeh
Signature

Julia Yeh
Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 25 2009

PTO/SB/65 (03-09)

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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input checked="" type="checkbox"/> \$ <u>Already paid</u>	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ _____

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 700

5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ _____
- ☐ Please charge Deposit Account No. _____ the sum of \$ _____
- ☒ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- ☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. _____

PTO/SB/05 (03-05)
Approved for use through 03/31/2012, OMB 0651-0015
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. _____

OR

☐ Send refund check

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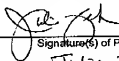
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

Julia Yek

Typed or printed name(s)

8/21/2009

Date

1900 O'Farrell Street, #220

Address

San Mateo, CA. 94403-1387

Address

Registration Number, if applicable

(650)941-0382

Telephone Number

ENCLOSURES:

- ☐ Maintenance Fee Payment
☐ Statement why maintenance fee was not paid timely
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
☐ Other:

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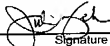
PTO/SB45 (03-09)

Approved for use through 03/31/2012, OMB 0651-0016

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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."



Signature

Julia Yeh

Type or printed name

8/21/2009

Date

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

- Our patent attorney, Mr. Horace Ng, left McDermott Will & Emery in May 2006
- Mr. Ng gave me the original patent documents with instructions to pay the maintenance fee of \$450 for the small entity of this patent.
- I called Patent and Trademark Office and got the Form SB45 for the maintenance fee.
- The check of \$450 and the Form SB45 was processed and mailed to Patent and Trademark Office on April 7, 2009.
- The check of \$450 was cleared through our bank, on April 15, 2009.
- I received our July 2009 Bank Statement on August 5 and discovered an electronic deposit of \$450 from Treasury department.
- I called Patent Trademark Office which informs me that the maintenance fee has been increased from \$450 to \$490; was told that the patent has been expired due to no payment of maintenance fee.
- Patent and Trademark Office also confirmed that the correspondence was mailed to our old office, not to the address shown on my cover letter dated April 7, 2009.
- If we have been notified in April or May of the maintenance fee increase, we would have paid the fees.

Thank you !

Julia Yeh

(Please attach additional sheets if additional space is needed)

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